

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 JUL -8 P12:04

SENATE
S. No. **584**

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

The public is increasingly exhibiting interest in reliable information concerning nutrition and the relationship of nutrition to human health, and are making personal nutrition choices based on such information. Unfortunately, they often receive conflicting and confusing messages about nutrition and the relationship of nutrition to health.

The country's information base concerning nutrition and health is fragmentary, often difficult to identify and includes significant gaps in knowledge concerning the relationship between nutrition and the occurrence of certain diseases and adverse conditions.

Hence, this bill seeks to establish within the Department of Health a permanent council on nutrition and health, whose main task will be to identify and disseminate sound information on the relationship between nutrition and health and the gaps in knowledge that require research and attention.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Fourteenth Congress, First Regular Session.

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1 AN ACT
2 ESTABLISHING A PERMANENT COUNCIL ON NUTRITION AND HEALTH
3 WITHIN THE DEPARTMENT OF HEALTH

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* - This Act shall be known as the "Nutrition and Health
5 Act."

6 SECTION 2. *Purpose.* - The purpose of this Act is to establish within the
7 Department of Health a Council on Nutrition and Health that will assemble the existing
8 information on the relationship between nutrition and human health, monitor the progress of
9 ongoing research, identify the aspects of the relationship between nutrition and health that
10 require additional research, maintain the base of information in an understandable and
11 retrievable fashion, and serve as a clearinghouse for information on the relationship between
12 nutrition and human health.

13 SECTION 3. *Definitions.* -As used in this Act -

14 (A) The term "Council" means the Council on Nutrition and Health, as established in
15 Section 4(1).

16 (B) The term "Secretary" means the Secretary of Health.

17 SECTION 4. *Establishment and Staffing of the Council on Nutrition.* -

1 (A) ESTABLISHMENT- There is established within the Department of Health the
2 Council on Nutrition and Health.

3 (B) MEMBERSHIP -

4 (1) APPOINTMENT - The Council shall consist of nine (9) voting members,
5 all of whom shall be appointed by the President.

6 (2) ELIGIBILITY FOR MEMBERSHIP - The members of the Council shall
7 be chosen from among individuals who are knowledgeable in the fields of health,
8 human nutrition, food production and distribution, and agriculture. Such members
9 shall be selected on the basis of an established record of distinguished service in the
10 areas of expertise of such individuals.

11 (3) EX OFFICIO MEMBERS - The Secretary and the Secretary of
12 Agriculture shall be ex officio members of the Council.

13 (C) TERM OF OFFICE-

14 (1) IN GENERAL - Each member of the Council shall be appointed for a
15 term of three (3) years, except that members appointed to the initial Council shall
16 serve, proportionately, for terms of one (1), two (2), or three (3) years, as determined
17 by the Secretary at the time of appointment.

18 (2) VACANCY- A member of the Council who is appointed to fill a vacancy
19 in the Council occurring prior to the expiration of the term for which the predecessor
20 of such member was appointed, shall be appointed by the same individual who
21 appointed such predecessor pursuant to subsection (2)(a) for the remainder of such
22 term.

23 (3) EXPIRATION OF TERM-- A member of the Council may serve after the
24 expiration of the term of office of such member until the successor for such member
25 has taken office.

26 (4) ELIGIBILITY FOR SUCCESSIVE TERMS- A member of the Council
27 shall be eligible to serve successive terms of office.

28 (D) LEADERSHIP OF COUNCIL -

1 (1) SELECTION - A Chairperson and a Vice Chairperson of the Council
2 shall be selected by the President from among the members of the Council.

3 (2) TERM OF OFFICE- The Chairperson and Vice Chairperson of the
4 Council, as referred to in paragraph (a), shall serve for terms of three (3) years.

5 (E) MEETINGS OF COUNCIL -

6 (1) FREQUENCY OF MEETINGS - The Chairperson of the Council, as
7 referred to in subsection (4), shall convene a meeting of the Council not less than
8 once during each three-month period.

9 (2) QUORUM- At a properly convened meeting of the council, the presence
10 of five (5) Council members shall constitute a quorum.

11 (F) COMPENSATION- A member of the Council shall be paid or reimbursed for
12 travel to and from the place of service of such member and for other expenses associated
13 with the responsibilities as a member of the Council.

14 (G) STAFF- the staff of the Council shall be permanent employees of the
15 Department of Health of such rank, grade, and function as considered to be appropriate by
16 the Secretary.

17 SECTION 5. *Responsibilities of the Council.* -

18 (A) IN GENERAL- The Council shall-

19 (1) assemble the existing information on the relationship between nutrition
20 and health;

21 (2) identify and collect the ongoing research within the various national and
22 local governmental agencies, the private sector in the country, and in foreign
23 countries;

24 (3) identify the aspects of the relationship between nutrition and health that
25 require additional research;

26 (4) monitor ongoing research into the role of nutrition in health, including-

1 (a) methods by which the nutritional value of domestically produced
2 food products may be improved;

3 (b) the relationship between consumption of specific foods and
4 nutrients and the incidence and treatment of specific diseases and conditions;
5 and

6 (c) the optimal level of foods and nutrients that are appropriate under
7 various health conditions to maximize specific human capabilities;

8 (5) monitor the progress of nutrition' education efforts among the health
9 profession, other segments of the society, and the general public; and maintain an
10 understandable and retrievable database of existing scientific information on the
11 relationship of nutrition and health and serve as a clearinghouse for such
12 information.

13 (B) RULES AND REGULATIONS - The Council is authorized to adopt such rules
14 and regulations as may be necessary to carry out this Act.

15 SECTION 6. *Responsibility of Other Agencies to Cooperate with the Council.* - Each
16 agency and private entity that is performing nutrition research that is completely or partially
17 funded by appropriated funds shall cooperate with the Council by informing the Council of
18 the research of such agency or entity, and by filing a copy of the final report of the product
19 of such research with the Council.

20 SECTION 7. *Treatment of Information on File.* - Submission of information or data
21 on the relationship between nutrition and health to the Council shall not affect statutory law
22 trademark status, copyright, or patent rights.

23 SECTION 8. *Reports.* -

1 (A) IN GENERAL - Not later than December 31 of each year, the Council shall
2 submit a report to the Secretary on the progress of its work and any areas of suggested
3 research into the relationship between nutrition and health.

4 (B) DISTRIBUTION- Following the receipt by the Secretary of the annual report of
5 the Council under subsection (A), the Secretary shall immediately distribute such report,
6 along with recommendations of the Secretary regarding such report, to the President, the
7 Secretary of Agriculture, and the appropriate authorizing and appropriating committees of
8 the Congress, as well as to such agencies and departments as the Secretary considers
9 appropriate.

10 SECTION 9. *Authorization of Appropriations.* - There are authorized to be
11 appropriated such sums as may be necessary to carry out this Act.

12 SECTION 10. *Separability Clause.* - If any provision or part hereof is held invalid or
13 unconstitutional, the remainder of the Act or the provision not otherwise affected shall
14 remain valid and subsisting.

15 SECTION 11. *Repealing Clause.* - Any law, presidential decree or issuance,
16 executive order, letter of instruction, administrative order, rule, or regulation contrary to, or
17 inconsistent with the provisions of this Act is hereby repealed, modified or amended
18 accordingly.

19 SECTION 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
20 its publication in at least two (2) newspapers of general circulation.

Approved,